

AMENDMENT TO PROGRAMMATIC AGREEMENT  
AMONG  
THE UNITED STATES DEPARTMENT OF ENERGY  
THE DISTRICT DEPARTMENT OF THE ENVIRONMENT  
AND  
THE DISTRICT OF COLUMBIA STATE HISTORIC PRESERVATION OFFICE REGARDING  
EECBG, SEP AND WAP UNDERTAKINGS

WHEREAS, on August 12, 2010, The United States Department of Energy (DOE), The District Department of the Environment, and The District of Columbia State Historic Preservation Office (DC SHPO) entered into a Programmatic Agreement (Agreement) to fulfill the requirements of Section 106 of the National Historic Preservation Act for certain DOE-funded Undertakings in District of Columbia.

WHEREAS, in 2010, as the result of unprecedented funding levels resulting from the implementation of the American Recovery and Reinvestment Act (Recovery Act), DOE, the Advisory Council on Historic Preservation (ACHP), and the National Conference of State Historic Preservation Officers (NCSHPO) developed a first-of-its-kind Prototype Programmatic Agreement (Prototype PA) for National Historic Preservation Act Section 106 reviews;

WHEREAS, the intent of the Prototype PA was to provide DOE, recipients of financial assistance under DOE's Weatherization Assistance Program (WAP), State Energy Program (SEP), and Energy Efficiency Conservation Block Grant (EECBG) program, as applicable, and State Historic Preservation Offices (SHPOs) with a tailored method for complying with Section 106 of the National Historic Preservation Act. DOE, recipients, and SHPOs negotiated and executed subsequent programmatic agreements (subsequent PAs; i.e. this Agreement) in accordance with the Prototype PA;

WHEREAS, the Prototype PA originally provided that each subsequent PA would be valid for three years from the date of execution. As the result of ACHP's Program Comment dated March 11, 2013, however, all subsequent PAs, including this Agreement, were extended through December 31, 2020. (78 FR 16275, 16277);

WHEREAS, the District of Columbia is the also known as the 'District';

WHEREAS, The District Department of Energy and Environment administers the State Energy Program and the Weatherization Assistance Program;

WHEREAS, ACHP, NCSHPO, and DOE recognize the Prototype PA and subsequent PAs continue to provide great value to DOE, recipients, and SHPOs, notwithstanding expiration of most Recovery Act funding, this amendment extends the use of the Agreement for an additional 10 years; and

WHEREAS, DOE will send a copy of this executed amendment to the ACHP, the DC SHPO and the District Department of Energy and Environment;

NOW, THEREFORE, in accordance with Stipulation XV of the Agreement, the signatories of this Amendment agree as follows:

1. Change all references to 'the District' to the 'District of Columbia'.
2. Change all references to 'The District Department of the Environment' to 'The District Department of Energy and Environment'.

Amendment US DOE DC's DOEE & SHPO Regarding EECBG, SEP AND WAP Undertakings

3. Amend Stipulation XVI so it reads as follows:

This PA will be valid until December 31, 2030, as verified with DOE filing the PA with the ACHP.

This Amendment may be executed in counterparts, each of which when so executed shall be deemed an original, but all of which shall together constitute one and the same instrument, it being understood that all parties need not sign the same counterpart. This Amendment is not effective until each party executes the Amendment.

SIGNATORIES:



11-5-2020

Tommy Wells  
Director  
Department of Energy and Environment

Date

Alan J Barak

Digitally signed by Alan J Barak  
DN: cn=Alan J Barak, o=DOEE, ou=OGC, email=alan.barak@dc.gov, c=US  
Reason: reviewed for legal sufficiency  
Location: DC  
Date: 2020.11.05 16:24:58 -0500

Alan J. Barak, Assistant General Counsel, DOEE  
Approved for legal sufficiency

Date

David Maloney  
State Historic Preservation Officer  
District of Columbia Office of Planning - Historic Preservation Office

Date

Derek G. Passarelli  
Director, Golden Field Office  
Office of Energy Efficiency and Renewable Energy  
United States Department of Energy

Date

Filename: 00 4480 moa us doe-dc doee shpo amendment thru 2030.docx

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SIGNATORIES:

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Tommy Wells Date  
Director  
Department of Energy and Environment )

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Alan J. Barak, Assistant General Counsel, DOEE Date  
Approved for legal sufficiency

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 11/3/2020  
David Maloney Date  
State Historic Preservation Officer  
District of Columbia Office of Planning - Historic Preservation Office

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Derek G. Passarelli Date  
Director, Golden Field Office  
Office of Energy Efficiency and Renewable Energy  
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Tommy Wells Date  
Director  
Department of Energy and Environment

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Alan J. Barak, Assistant General Counsel, DOEE Date  
Approved for legal sufficiency

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David Maloney Date  
State Historic Preservation Officer  
District of Columbia Office of Planning - Historic Preservation Office

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*Derek G. Passarelli* **November 6, 2020**  
Derek G. Passarelli Date  
Director, Golden Field Office  
Office of Energy Efficiency and Renewable Energy  
United States Department of Energy

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